



Public Building Commission of Chicago Contractor Payment Information

Project:

Contract Number: 1457

General Contractor: Burling Builders

Payment Application: 10

Amount Paid: **\$990,669.40**

Date of Payment to General Contractor: 1/8/2009

The posting of all or any portion of a contractor's payment application on the PBC's website is done solely for the purpose of providing information to subcontractors with respect to the amount the contractor has requested as payment for its subcontractors on the posted portion of the payment application. The posting of this information is provided for in the PBC's Standard Terms and Conditions For Construction Contracts Section 16.09 entitled, Prompt Payment To Subcontractors. The PBC makes no representations or warranties with respect to any of the information provided by contractors on the contractors' payment applications. If you are a subcontractor, and have any questions regarding the information on a posted payment application, you should contact the general contractor.

**PUBLIC BUILDING COMMISSION OF CHICAGO
EXHIBIT S
CERTIFICATE OF ARCHITECT - ENGINEER**

*Contract #1457
Pay app # 10
9/29 90 complete
PO Copy*

Date: 11/17/08

Project: Engine Company 102
Monthly Estimate No.: 10
For the Period: 9/1/08 to 9/30/08
Contract No.: 1457

To: Public Building Commission of Chicago
In accordance with Resolution No. , _____ adopted by the Public Building Commission of Chicago on, _____ relating to the \$ _____ Revenue Bonds issued by the Public Building Commission of Chicago for the financing of this project (and all terms used herein shall have the same meaning as in said Resolution), I hereby certify to the Commission and to its Trustee, that:

1. Obligations-in-the-amounts-stated-herein-have-been-incurred-by-the Commission and that each item thereof is a proper charge against the Construction Account and has not been paid; and
2. No amount hereby approved for payment upon any contract will, when added to all amounts previously paid upon such contract, exceed 90% of current estimates approved by the Architect - Engineer until the aggregate amount of payments withheld equals 5% of the Contract Price (said retained funds being payable as set forth in said Resolution).

THE CONTRACTOR: Burling Builders, Inc.

44 W. 60th Street Chicago, IL 60621

**FOR: Engine Company 102
Is-now-entitled-to-the-sum-of: \$1,040,019.47**

ORIGINAL CONTRACT PRICE	<u>\$8,790,000.00</u>
ADDITIONS	<u>\$0.00</u>
DEDUCTIONS	<u>\$0.00</u>
NET ADDITION OR DEDUCTION	<u>\$0.00</u>
ADJUSTED CONTRACT PRICE	<u>\$8,790,000.00</u>

TOTAL AMOUNT EARNED \$8,264,411.77

TOTAL RETENTION \$263,700.00

a) Reserve Withheld @ 10% of Total Amount Earned,
but Not to Exceed 5% of Contract Price \$263,700.00

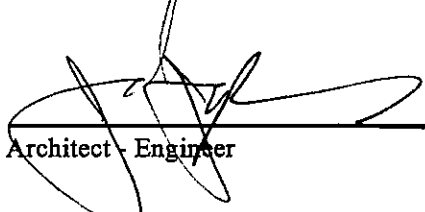
b) Liens and Other Withholding \$ _____

c) Liquidated Damages Withheld \$ _____

TOTAL PAID TO DATE (Include this Payment) \$8,000,711.77

LESS: AMOUNT PREVIOUSLY PAID \$6,960,692.30

AMOUNT DUE THIS PAYMENT \$1,040,019.47



Architect - Engineer

Vendor Number 03-52-21
Agency-Bond-Fund 01080
Project Number 18006
Cost Code 1501800-3176
Contract #&C.O. 1457
Amount \$1,040,019.47
Approval Date 11/19/08
I hereby certify that the goods or services indicated were received and that they are as described and at the price prescribed by the contract.
PM Approval & Date 11/19/08

Public Building Commission of Chicago
Exhibit A
CONTRACTOR'S SWORN STATEMENT AND AFFIDAVIT FOR PARTIAL PAYMENT

Contract #1457

Pay Application 10RR
12/9/2008

STATE OF Illinois)

County of Cook)ss.

THE AFFIANT, being first duly sworn, on oath deposes and says that she is Vice President - Finance of Buring Builders, Inc., 44 W. 60th Street, Chicago, IL 60621, 888-224-3294 and duly authorized to make this Affidavit in behalf of said corporation and for himself individually; that he is well acquainted with the facts herein set forth and that said corporation is the contractor with the Public Building Commission of Chicago Owner, under Contract No. 1457 dated the 10th day of July, 2007, for Engine Company 102, 7340 N. Clark Str

*That, the following statements are made for the purpose of procuring a partial payment \$1,040,019.47

under the terms of said Contract;

* that the work for which payment is requested has been completed, free and clear of any and all claims, liens, charges, and expenses of any kind or nature whatsoever and full compliance with the Contract Document and the requirements of said Owner under them;

*that for the purposes of said Contract, the following persons have been contracted with, and have furnished or prepared materials, equipment, supplies and services for, and have done labor on said improvement;

*that the respective amounts set forth opposite their names is the full amount of money due and to each of them respectively;

*that this statement is a full, true, and complete statement of all such persons and of the full amount now due and the amount heretofore paid to each of them for such labor, materials, equipment, supplies and services furnished or prepared by each of them to or on account of said work stated:

NAME AND ADDRESS	TYPE OF WORK	TOTAL CONTRACT (INCLUDING C.O.'S)	TOTAL WORK COMPLETE	LESS RETENTION (INCLUDING CURRENT)	LESS NET PREVIOUSLY PAID	NET DUE THIS PERIOD	BALANCE TO BECOME DUE
Tecnica - 1612 West Fulton St. Chicago, IL	Excavation	615,378.00	596,160.00	18,461.34	520,456.50	57,242.16	37,679.34
Black Dirt Inc. -	Furnish Black Dirt	10,560.00	10,560.00	0.00	0.00	10,560.00	0.00
Big Johns-9909 W. Roosevelt Rd. Westchester, IL 60154	Site Utilities	167,454.33	167,454.33	5,023.63	150,708.90	11,721.80	5,023.63
Fence Connection - 970 Villa St. Elgin, IL 60120	Fences and Gates	74,998.00	4,500.00	2,249.94	0.00	2,250.06	72,747.94
F. Garcia Landscaping - P.O. Box 572 Barrington, IL 60011	Lanscaping	41,000.00	10,000.00	1,230.00	0.00	6,770.00	32,230.00
Buring Builders, Inc.- 44 W. 60th St. Chicago, IL	Site and Street Equipment	1,000.00	1,000.00	30.00	900.00	70.00	30.00
G&V Construction Co - 371 S. Evergreen Bensenville, IL 60106	Cement Paving	207,670.00	203,000.00	6,230.10	164,700.00	32,069.90	10,900.10
Brewer Concrete Const. - 3432 S. Normal Chicago, IL	Structural Concrete	278,586.15	278,586.15	3,271.65	275,314.50	0.00	3,271.65
Garth/Larmco Joint Venture - 20001 Blackstone Ave. Lynwood, IL	Masonry	1,276,030.00	1,270,780.00	38,280.90	1,138,977.00	93,522.10	43,530.90
Carlo Steel - 3100 E. 87th St. Chicago, IL	Structural Steel	433,848.00	433,848.00	13,015.44	390,463.20	30,369.36	13,015.44
Great Lakes Steel - 7509 W. 85th St. Bridgeview, IL 60455	Tumout Gear Room Racks	12,100.00	12,100.00	363.00	9,540.00	2,197.00	363.00
EZ Shelving System - 5538 Merriam Drive Merriam, KS 66203	S.S. Shelving	15,476.00	15,476.00	464.28	13,928.40	1,083.32	464.28
Buring Builders, Inc.- 44 W. 60th St. Chicago, IL	Firestopping	5,000.00	5,000.00	150.00	4,500.00	350.00	150.00
Tuschal - 15W700 79th Street Burr Ridge, IL 60527	Metal Fascia	167,900.00	167,900.00	5,037.00	129,600.00	33,263.00	5,037.00
Anderson & Shah - 23900 County Farm Road Joliet, IL	Roofing	357,275.92	357,275.92	10,718.28	262,074.60	84,483.04	10,718.28
Triumph - 18822 South 82nd Ave. Mokena, IL 60448	Selants and Caulking	15,360.00	15,360.00	460.80	13,824.00	1,075.20	460.80
La Force - 280 Corporate Wood Parkway Vernon Hills, IL	Steel Doors and Frames	79,705.00	78,189.00	2,391.15	69,102.00	6,695.85	3,907.15
Anagnos Door Co. - 7600 South Archer Rd. Justice, IL 60458	Overhead Doors	50,786.00	50,786.00	1,523.58	45,707.40	3,555.02	1,523.58
US Glass & Arch. -8404 S. Wilmette Ave. Darine, IL	Aluminum Storefront/Windows	211,150.00	200,600.00	6,334.50	180,540.00	13,725.50	16,884.50
Diaz Interior Contractors- 501 Earl Rd. Shorewood, IL	Carpentry	216,499.00	214,499.00	6,494.97	156,002.40	52,001.63	8,494.97
City Cottage Group-2907 S. Wabash Chicago, IL	Ceramic Tile	5,600.00	5,600.00	560.00	5,040.00	0.00	560.00
City Cottage Group-2907 S. Wabash Chicago, IL	Epoxy Terrazzo	109,280.00	109,280.00	3,278.40	98,352.00	7,649.60	3,278.40
City Cottage Group-2907 S. Wabash Chicago, IL	Resilient Floor Tile	2,700.00	2,700.00	81.00	2,430.00	189.00	81.00
City Cottage Group-2907 S. Wabash Chicago, IL	Athletic Flooring	4,800.00	950.00	144.00	0.00	806.00	3,994.00
Continental Painting - 2255 S. Wabash Chicago, IL	Painting	33,932.00	33,932.00	1,017.96	15,614.10	17,299.94	1,017.96

NAME AND ADDRESS	TYPE OF WORK	TOTAL CONTRACT (INCLUDING C.O.'S)	TOTAL WORK COMPLETE	LESS RETENTION (INCLUDING CURRENT)	LESS NET PREVIOUSLY PAID	NET DUE THIS PERIOD	BALANCE TO BECOME DUE
Spring Moon -	Signage	8,720.00	2,000.00	261.60	0.00	1,738.40	6,981.60
Burling Builders, Inc.- 44 W. 60th St Chicago, IL	Fire Extinguishers	2,634.00	2,634.00	79.02	2,370.60	184.38	79.02
Burling Builders, Inc.- 44 W. 60th St Chicago, IL	Rugs and Mats	1,300.00	1,300.00	39.00	1,170.00	91.00	39.00
Burling Builders, Inc.- 44 W. 60th St Chicago, IL	Display Boards	1,000.00	0.00	0.00	0.00	0.00	1,000.00
Burling Builders, Inc.- 44 W. 60th St Chicago, IL	Toilet and Bath Accessories	9,643.00	9,643.00	289.29	8,678.70	675.01	289.29
Burling Builders, Inc.- 44 W. 60th St Chicago, IL	Toilet part, Metal	6,670.00	6,670.00	200.10	6,003.00	466.90	200.10
City Cottage Group-2907 S. Wabash Chicago, IL	Commerical Kitchen	115,250.00	105,150.00	3,457.50	78,300.00	23,392.50	13,557.50
C&H -	Flag Pole	7,985.00	7,985.00	239.55	7,186.50	558.95	239.55
Indoff - 30824 Carolwood Drive Genoa, IL 60135	Lockers	31,000.00	31,000.00	930.00	0.00	30,070.00	930.00
G&L Associates, Inc - 3166 Des Plaines Ave., Ste.#125 Des Plaines, IL 60018	Louvers	80,240.00	80,240.00	2,407.20	60,300.00	17,532.80	2,407.20
City Cottage Group-2907 S. Wabash Chicago, IL	Hose Drying Cabinets	58,800.00	58,800.00	1,764.00	52,920.00	4,116.00	1,764.00
National Lift - 3333 ML Prospect Rd. Franklin Park, IL 60131	Manlift	6,175.00	6,175.00	0.00	5,557.50	617.50	0.00
Burling Builders, Inc.- 44,W. 60th St. Chicago, IL	Waste Compactors	6,500.00	0.00	0.00	0.00	0.00	6,500.00
Sievert Electric - 1230 South Hannah Ave. Forest Park, IL 60130	Interior Hoist	9,300.00	9,300.00	279.00	8,370.00	651.00	279.00
Westwood Enterprises - 57 Westwood Square Indian Head Park, IL 60525	Arch. Wood Work	30,092.00	30,092.00	902.76	27,082.80	2,106.44	902.76
Building Outfitters, Inc. -	Window Treatments	7,038.00	0.00	0.00	0.00	0.00	7,038.00
Norman Mechanical - 3850 Insustrial Ave. Rolling Meadows, IL	Plumbing	415,250.00	411,750.00	12,457.50	316,665.00	82,627.50	15,957.50
RAM Mechanical - 226 S. Westgate Drive Carol Stream, IL	HVAC	904,218.00	879,887.73	27,126.54	745,997.86	106,763.33	51,455.81
M Squared - 78 Ash Street Chicago Heights, IL	Electrical	346,230.03	346,230.03	0.00	346,230.03	0.00	0.00
Evergreen Supply - 9901 S. Torrence Chicago, IL	MSE Supplier - Electrical Material	309,556.45	130,657.80	0.00	130,667.80	0.00	178,888.65
Hetsel Jepperson - 103 N. Halsted Chicago Heights, IL	MSE Supplier - Electrical Material	15,000.00	10,000.00	0.00	10,000.00	0.00	5,000.00
Zonatherm Products, Inc	MSE Supplier - Generator	71,699.00	71,699.00		71,699.00	0.00	0.00
H. Moenck & Sons-20 1/2 East 34th Street, IL	MSE Supplier - Truck & Labor	1,600.00	1,600.00		1,600.00	0.00	0.00
Applied Communications - 345 W. Irving Park Rd. Roselle, IL	Low Voltage	253,849.00	241,662.90	7,615.47	190,760.31	43,287.12	19,801.57
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	Site Electrical Excavte & Duct Bank	26,000.00	26,000.00	780.00	23,400.00	1,820.00	780.00
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	Concrete Retaining Wall	104,127.14	97,318.00	3,123.81	87,586.20	6,607.99	9,932.95
J.E. Manzi - 826 Busse Highway Park Ridge, IL	Scheduling Consultant	16,383.81	16,383.81	0.00	16,383.81	0.00	0.00
Sieben Energy - 333 N. Michigan Ave. Chicago, IL	L.E.E.D. Consultant	26,000.00	24,960.00	0.00	24,960.00	0.00	1,040.00
National Survey-30 South Michigan Ave., Chicago, IL 60603	Site Survey	18,205.50	18,204.50	0.00	18,204.50	0.00	1.00
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	PBC Change Order Contingency	81,211.00	0.00	0.00	0.00	0.00	81,211.00
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	CCO#5A - Alley Utility	4,126.00	4,126.00	123.78	3,713.40	288.82	123.78
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	CCO#5A - Epoxy Rebar	469.00	469.00	14.07	422.10	32.83	14.07
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	CCO#8 - Water Service Revisions	26.00	26.00	0.78	23.40	1.82	0.78


NAME AND ADDRESS	TYPE OF WORK	TOTAL CONTRACT (INCLUDING C.O.'S)	TOTAL WORK COMPLETE	LESS RETENTION (INCLUDING CURRENT)	LESS NET PREVIOUSLY PAID	NET DUE THIS PERIOD	BALANCE TO BECOME DUE
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	CCO#9 - Gas Booster	3,839.04	3,839.04	115.17	3,455.14	268.73	115.17
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	CCO#1-Issued for Construction Re	6,088.00	6,088.00	182.64	5,479.20	426.16	182.64
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	CCO#10-Masonry Restoration Cred	(13,570.00)	(13,570.00)	(407.10)	(12,213.00)	(949.90)	(407.10)
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	CCO#13-Beam at Chiller Room	187.00	187.00	5.61	168.30	13.09	5.61
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	CCO#14-Delete Radio Equipment	0.00	0.00	0.00	0.00	0.00	0.00
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	CCO#20-Revised Flashing Detail	0.00	0.00	0.00	0.00	0.00	0.00
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	CCO#15-CAT 5 for OEMC	1,311.00	1,311.00	39.33	0.00	1,271.67	39.33
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	CCO#16-Pump Room Door	2,185.00	2,185.00	65.55	0.00	2,119.45	65.55
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	CCO#17-Soffit in Electrical Room	280.00	280.00	8.40	0.00	271.60	8.40
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	CCO#3-Solar Revisions	(1,461.00)	(1,461.00)	(43.83)	0.00	(1,417.17)	(43.83)
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	CCO#25-Drip pan in Comm Room	148.00	148.00	4.44	0.00	143.56	4.44
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	General Requirments	401,696.63	368,984.56	44,259.60	228,552.27	96,172.69	76,971.67
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	Insurance	114,270.00	114,270.00	3,428.10	102,843.00	7,998.90	3,428.10
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	Bond	69,590.00	69,590.00	2,087.70	62,631.00	4,871.30	2,087.70
Burling Builders, Inc.- 44 W. 60th St. Chicago, IL	Overhead & Fee	835,050.00	835,050.00	25,051.50	675,748.88	134,249.62	25,051.50
TOTAL		8,790,000.00	8,264,411.77	263,700.00	6,960,692.30	1,040,019.47	789,288.23

AMT OF ORIGINAL CONTRACT	\$8,790,000.00	TOTAL AMOUNT REQUESTED	\$8,264,411.77
EXTRAS TO CONTRACT	\$0.00	LESS 10% RETAINED	\$263,700.00
TOTAL CONTRACT AND EXTRAS	\$8,790,000.00	NET AMOUNT EARNED	\$8,000,711.77
CREDITS TO CONTRACT	\$0.00	AMOUNT OF PREVIOUS PAYMENTS	\$6,960,692.30
ADJUSTED TOTAL CONTRACT	\$8,790,000.00	AMOUNT DUE THIS PAYMENT	\$1,040,019.47
		BALANCE TO BECOME DUE	\$789,288.23

The provisions should not be construed as conferring any rights hereunder for the benefits of Subcontractors, suppliers, workers or employees, nor as enlarging or altering the application or effect of existing lien laws.


Contractors certifies

- * that to the best of its knowledge, information and belief, the work is in accordance with the Contract Documents;
- * that suppliers of materials, services, labor and all Subcontractors (including all significant sublevels thereof) are being currently paid;
- * that the amount of the payments applied for are justified;
- * that the Waiver of Lien are submitted herewith by affiant and each of the aforesaid persons, are true, correct, and genuine;
- * that each and every lien was delivered unconditionally;
- * that there is no claim either legal or equitable to defeat the validity of any of said Waivers of Lien;
- * that said Waivers of Lien include such Waivers of Lien from all Subcontractors, suppliers of materials or other agents acting on behalf of affiant in connection with the Work or arising out of the Work; and
- * that so far as affiant has knowledge or information, the said Waivers of Lien include all the labor and materials for which a claim could be made and for which a lien could be filed;
- * that neither the partial payment nor any part thereof has been assigned;
- * that said Contractor herein expressly affirms that should it at any time appear that any illegal or excess payments have been or on behalf of the PUBLIC BUILDING COMMISSION OF CHICAGO, the said Contractor will repay on demand to the PUBLIC BUILDING COMMISSION OF CHICAGO the amount or amounts so paid; and
- * that if any lien remains unsatisfied after all payments are made, the Contractor will refund the PUBLIC BUILDING all moneys that the latter may be compelled to pay in discharging such a lien including all costs and a reasonable attorney's fee.


 (To be signed by the President or a Vice-President)

Kim C. Walker, Vice President - Finance
 (Typed name of above signature)

Subscribed and sworn to before me this 17th day of November 2008


 My Commission expires: 12/22/08



Note: Although this sworn statement reflects a total of \$346,230.03 being paid to M-Squared, we have actually paid \$416,234.80 for their labor and an additional \$213,976.80 to their suppliers as of 12/5/08.